

Declaration and Power of Attorney for a Patent Application

Declaration

As a below named inventor, I hereby declare that my residence, post office address, and citizenship are as stated below next to my name. Further, I hereby declare that I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SMART MEMORY

the specification of which:

☒ is attached hereto, and
 _____ was filed on July 2, 2001 as application serial no. 09/ : and
 _____ was amended on _____

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above; and

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

Foreign Priority Claim

I hereby claim foreign priority benefits under Title 35, United States Code Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

| Number | Country | Date Filed | Priority Claimed |
|--------|---------|------------|--|
| _____ | _____ | _____ | <input type="checkbox"/> yes <input type="checkbox"/> no |
| _____ | _____ | _____ | <input type="checkbox"/> yes <input type="checkbox"/> no |

U. S. Priority Claim

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| Serial Number | Filing Date | Status (patented / pending / abandoned) |
|---------------|-------------|---|
| _____ | _____ | _____ |
| _____ | _____ | _____ |

Power of Attorney

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Patrick T. King _____ Registration No.: 28,231

Send correspondence to: Law Offices of Patrick T. King, 73 Penny Lane, Watsonville, CA 95076
Direct telephone calls to: Patrick T. King (831) 722-1830

Signatures

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Sole or First Inventor's Signature: Hugo W. K. Chan Date: 8/17/01
Full Name: HUGO W. K. CHAN Citizenship: U.S.
Residence Address: 46850 SENTINEL DR., FREMONT, CA 94539
Post Office Address: _____

Second Inventor's Signature: _____ Date: _____
Full Name: _____ Citizenship: _____
Residence Address: _____
Post Office Address: _____

Third Inventor's Signature: _____ Date: _____
Full Name: _____ Citizenship: _____
Residence Address: _____
Post Office Address: _____

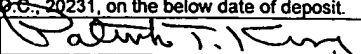
Fourth Inventor's Signature: _____ Date: _____
Full Name: _____ Citizenship: _____
Residence Address: _____
Post Office Address: _____

Fifth Inventor's Signature: _____ Date: _____
Full Name: _____ Citizenship: _____
Residence Address: _____
Post Office Address: _____

Sixth Inventor's Signature: _____ Date: _____
Full Name: _____ Citizenship: _____
Residence Address: _____
Post Office Address: _____

Patent

Verified Statement Claiming Small Entity Status (37 CFR 1.9(f) and 1.27(c)) - Small Business Concern

| | | | |
|--|---------|---|---|
| I hereby certify that this transmittal of the below described document is being deposited with the United States Postal Service in an envelope bearing First Class Postage and addressed to the Assistant Commissioner for Patents, U.S. Patent and Trademark Office Washington, D.C. 20231, on the below date of deposit. | | | |
| Date of Deposit: | 9/20/01 | Name of Person Making the Deposit: | Patrick T. King |
| | | Signature of the Person Making the Deposit: |  |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No.: NANO19

Inventor(s): Hugo W. K. Chan

Serial No.: 09/ 898,520

Group Art Unit: unknown

Filed: July 2, 2001

Examiner: unassigned

Title: SMART MEMORY

Assistant Commissioner for Patents
U.S. Patent and Trademark Office
Washington, D.C. 20231

Sir:

Verified Statement Claiming Small Entity Status (37 CFR 1.91(f) and 1.27(c)) - Small Business Concern

I hereby state that I am:
the owner of the small business concern identified below:

☒ an official of the small business concern empowered to act on behalf of the concern identified below:

Name of Small Business Concern: NANOAMP SOLUTIONS, INC.

Address of Small Business Concern: 1982-B Zanker Road
San Jose, CA 95112

I hereby state that the above identified small business concern qualifies as a small business concern, as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office under Sections 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third-party or parties controls or has the power to control both.

I hereby state that the rights under contract or law have been conveyed to, and remain with, the small business concern identified above, with regard to the invention described in

☐ the specification filed herewith, with title as listed above.
☒ the application identified above.
☐ the patent identified above.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c), if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

***NOTE:** *Separate statements are required from each named person, concern or organization having right to the invention as to their status as small entities. (37 CFR 1.27)*

Each such person, concern or organization having any rights in the invention is listed below:

☒ No such person, concern, or organization exists.
☐ Each such person, concern or organization is listed below.

Full Name:

Address:

☐ Individual

☐ Small Business Concern

☐ Nonprofit Organization

Full Name:

Address:

☐ Individual

☐ Small Business Concern

☐ Nonprofit Organization


I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

(check the following item, if desired)

NOTE: The following verification statement need not be made in accordance with the rules published on Oct. 10, 1997, 62 Fed. Reg. 52,131, effective Dec. 1, 1997.

NOTE: *The presentation to the Office (whether by signing, filing, submitting, or later advocating) of any paper by a party, whether a practitioner or non-practitioner, constitutes a certification under § 10.18(b) of this chapter. Violations of § 10.18(b)(2) of this chapter by a party, whether a practitioner or non-practitioner, may result in the imposition of sanctions under § 10.18(c) of this chapter. Any practitioner violating § 10.18(b) may also be subject to disciplinary action. See §§ 10.18(d) and 10.23(c)(15). 37 C.F.R. § 1.4(d)(2).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

| | |
|---|---|
| Name of Person Signing: | MARK W. EBEL |
| Title of Person if Other than Owner: | Co-President |
| Address of Person Signing: | Nanoamp Solutions 1982-B Zanker Road San Jose, CA 95112 |
| Signature:  | Date: 8-17-01 |

AssignmentWhereas, I, Hugo W. K. Chan

have invented certain new and useful improvements as described and set forth in the below-identified patent application, and Nanoamp Solutions, Inc. (hereinafter called Nanoamp), a California Corporation having its principal place of business at Nanoamp is desirous of acquiring the entire right, title and interest in the said invention and application and in any Letters Patent which may be granted on the same;

Now, therefor, for and in consideration of the sum of \$1.00 receipt of which is hereby acknowledged, I do hereby sell, assign and transfer unto Nanoamp, its successors and assigns, the entire right, title and interest, including the right of priority in, to and under an application for Letters Patent of the United States entitled:

SMART MEMORY

_____ filed herewith and the inventions set forth and described therein, and any and all Letters Patent of the United States and of countries foreign thereto which may be granted thereon or therefor; or

X Serial No.: 09/898,520 filed on 7/2/2001 and the inventions set forth and described therein, and any and all Letters Patent of the United States and of countries foreign thereto which may be granted thereon or therefor;

And for the above consideration, I agree promptly upon request of Nanoamp, its successors or assigns, to execute and deliver without further compensation any power of attorney, assignment, application, whether original, continuation, divisional or reissue, or other papers which may be necessary or desirable fully to secure to Nanoamp, its successors and assigns, the inventions described in said application and all patent rights therein, in the United States and in any country foreign thereto, and to cooperate and assist in the prosecution of interference proceedings involving said inventions and in the adjudication or reexamination of said Letters Patent provided the expenses which may be incurred by me in lending such cooperation and assistance are paid by Nanoamp.

In witness whereof, I hereunto set my hand and seal:

Inventor's Signature: _____

Hugo W. K. Chan
Hugo W. K. Chan

Date: _____

8/17/01

State of _____

County of _____

Before me this _____ day of _____ personally appeared _____ who is _____ personally known or _____ proved to me on the basis of satisfactory evidence to be the person who acknowledged the foregoing instrument of assignment to be _____ his or _____ her free act and deed.

Notary Stamp/Seal

Notary Public _____